APPENDIX

Plaintiff's Exhibit No. 506

DIOCESE OF KANSAS CITY-ST. JOSEPH
DIOCESAN EDUCATIONAL OFFICE
P.O. Box 1037
KANSAS CITY, MISSOURI 64141

October 10, 1977

Dear Principal:

I need not remind you of the history of efforts to provide equitable participation of eligible non-public school students in the ESEA Title I program in Missouri. Certainly you are to be commended for your efforts and perserverance [*sic*] in striving to make available these important benefits for eligible children in the diocesan schools.

As you are aware, the Title I program in your school is or will be administered by another agency rather than the State Department of Education. The enclosed guidelines, developed by attorneys retained by the US Catholic Conference, have been designed to assist you and the contracting agency in delivering services to eligible children while also preventing violations of Title I guidelines. It is important that the guidelines be studied, communicated to the appropriate persons and observed. The success of the by-pass in Missouri will most probably influence whether the procedures will be used in other states.

Should you have any questions or concerns regarding the by-pass situation please don't hesitate to contact me. I have discussed the situation with Bishop Sullivan and he regards the guidelines as necessary and not compromising the authenticity of our schools.

Thank you for your efforts and continued cooperation.

Sincerely,

/s/ JOHN
JOHN L. SCHMIEDELER
Superintendent of Schools

JLS:sjs

Plaintiff's Exhibit No. 1164

LAW OFFICES
WILLIAMS & CONNOLLY
1000 HILL BUILDING
WASHINGTON, D.C. 20006

August 30, 1977

Mr. Jerome R. Porath
Assistant Superintendent of Schools
Archdiocese of St. Louis
4141 Lindell Boulevard
St. Louis, Missouri 63108

Re: *Wamble* v. *Boyer*

Dear Jerry:

As I promised when we talked by telephone yesterday, I am enclosing a proposed draft of the guidelines to be issued to those principals whose schools will have Title I bypass programs during the current academic year. The proposed guidelines cover those areas that we believe to be most critical to the factual development of our case.

I would appreciate it if you would review the proposed guidelines and give me your comments, including any additional considerations that you believe should be included. After I have your comments, I will make any necessary revisions and submit them to Sister Miriam Victor and John Schmiedeler for their review and comments.

As I mentioned when we talked by telephone, I think it would be best, once the guidelines have been reviewed and approved by all concerned, that each superintendent prepare a memorandum incorporating the guidelines by doing so in his own language and format.

I will await your comments.

Very truly yours,

/s/ CHARLIE
CHARLES H. WILSON

cc: Louis C. DeFeo, Jr., Esquire
(w/enc.)

Enclosure

Plaintiff's Exhibit No. 996

LAW OFFICES
WILLIAMS & CONNOLLY
1000 HILL BUILDING
WASHINGTON, D.C. 20006

September 20, 1977

Mr. Jerome R. Porath
Assistant Superintendent of Schools
Archdiocese of St. Louis
4141 Lindell Boulevard
St. Louis, Missouri 63108

Re: *Wamble* v. *Boyer*

Dear Jerry:

I am enclosing several copies of the final revision of the proposed guidelines to Title I principals. This revision incorporates all of the changes that you proposed plus certain stylistic changes made to conform the language in various paragraphs.

Since we have apparently agreed that each superintendent will issue the guidelines as finally drafted by this office and transmit them by his own cover memorandum explaining the reason for them, Lou De Feo and I think it would be wise to disseminate them to the other superintendents through you. The development of the guidelines came about as a result of your suggestion, and you have initiated the contact with the other superintendents to discuss whether they would also be willing to issue them. If the final version of the guidelines is distributed to the other superintendents by you, we will maintain the appearance that this is a project of the superintendents working together rather than something that initiated with the lawyers representing the intervenors.

I would ask that you send at least one copy of the guidelines to John Schmiedeler, Sister Miriam Victor and Harold Leimer. If you copy me or Lou De Feo on the transmittal correspond-

ence, I would suggest you do so by a totally blind copy. I would hope that you would urge the other superintendents, in their cover memoranda, to stress the positive aspects of Title I and the importance of assuring that the [2] progress made through the bypass be preserved by strict adherence to what appears to be the legal requirements of a valid, on-premises, school hours Title I program.

If you have any questions about the guidelines, please feel free to contact me. I would be interested in receiving from you and the other superintendents their cover memoranda transmitting the guidelines.

I should add that I have not yet talked to the Department of Justice to get their reaction to the guidelines. I would suggest that, before you or the other superintendents issue the guidelines, you check with Kevin or me to make sure that we have whatever comments the Department of Justice or the Office of Education may wish to make.

Very truly yours,

/s/ CHARLIE
CHARLES H. WILSON

cc: Louis C. DeFeo, Jr., Esquire

Enclosure

Exerpts from Plaintiff's Exhibit No. 100, Contract 300-77-0036, February 15, 1977, Jefferson City Title I Bypass—From BHHC's Technical Proposal

* * *

[9] Conversation with private school representatives revealed that a major concern centered around the lack of coordination of the Title I services with the total school program and the lack of contact between [10] Title I teachers and the parents, teachers, and principals of the private schools.

* * *

On the basis of this, we see that, as a program is developed to maintain current services, the Contractor will need to place emphasis on the following areas: 1) a strengthening of the program of instruction with greater stress on metholdology, materials to be used, and increasing the percentage of pupil participation; 2) coordination of Title I services with regular school program and supervision of Title I teachers; 3) involvement of private school representatives in planning services, scheduling activities, arranging for intereaction with parents and teachers; 4) a thorough orientation of teaching staff to an an understanding of the importance of coordination with regular school program as well as the nature of the services to be provided and the purposes of Title I.

[12] * * * *Supervision*—The supervision of the teachers would involve several functions: 1) support and assistance for the teachers; 2) monitoring teacher effectiveness and student response; 4) insuring constant availability of materials and equipment for program needs. During the first four weeks of services, the person responsible for supervision would meet with the teacher on-site and also confer with the building principal at least once a week. After the initial period, the supervisor would make a site visit at least once a month. * * *

[13] * * * Interviews with both private school and public school administrators indicated that the greatest need for materials was in the area of work-book style, supplementary reading materials. * * *

*** * * Communication Between Title I Teachers, Classroom Teachers and Parents**

The Contractor sees this as one of the critical tasks to insure the overall success and impact of Title I. In order to achieve it, we propose to effect the following procedures. The Title I teacher will have a planning period [14] each day. She should make use of this planning time to contact each regular classroom teacher at least once every two weeks to inform her of what she has been doing, the progress of the children, and to learn from the regular teacher what additional emphasis might be needed. In addition, the supervisor, during the on-site visits, will meet with the building pricnipal to discuss and monitor program coordination and teacher communication. The Title I teacher will be expected to attend regular faculty meetings and to be present at Home/School meetings as well as to participate in parent/teacher conferences. The Contractor understands that the Title I teacher must maintain her identity as a special project person and not become a regular faculty member under the supervision and management of the building principal. The Contractor is of the judgment that this identity and separation can be maintained while, at the same time, engaging in the above activities.